

JUN - 9 1993

Before the  
**Federal Communications Commission**  
Washington, DC

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

In re Applications of	)	MM Docket No. 93-107
	)	
DAVID A. RINGER	)	File No. BPH-911230MA
	)	
ASF BROADCASTING CORP.	)	File No. BPH-911230MB
	)	
WILBURN INDUSTRIES, INC.	)	File No. BPH-911230MC
	)	
SHELLEE F. DAVIS	)	File No. BPH-911231MA
	)	
WESTERVILLE BROADCASTING COMPANY	)	File No. BPH-911231MB
LIMITED PARTNERSHIP	)	
	)	
OHIO RADIO ASSOCIATES	)	File No. BPH-911231MC

proposed the recommencement of operations of Channel 280A on the tower formerly utilized by Station WBBY-FM, which continues to be owned by Mid-Ohio.<sup>1</sup> ORA concedes that Davis is the recipient of a letter from Mid-Ohio. The letter never has been revoked. The letter specifically states:

Mid-Ohio Communications hereby grants you the authority to specify WBBY-FM's transmitter location in your FCC application. We wish you the best of luck in your application for licensure being prepared for filing with the Federal Communications Commission.

Exhibit 1, Att. A. Attached to that letter, but omitted from ORA's filing, was a detailed five-page list of equipment that would be included with the lease. Also omitted from ORA's filing, but nevertheless in ORA's possession, was a follow-up letter from Mid-Ohio dated December 24, 1991, which was a one-page addendum to the Inventory previously provided. Exhibit 1, Att. B. Nevertheless, ORA argues that the documents from Mid-Ohio represent only a "willingness to deal" on the part of the tower site owner" which does not constitute "reasonable assurance." Motion at 1.

***Under Commission Precedent, Davis Has Reasonable Assurance of the Availability of Her Transmitter Site***

ORA Motion should be denied as frivolous. As the Review Board has stated:

reasonable assurance may be acquired in numerous ways, [and] there must at least be a meeting of the minds resulting in some firm understanding as to the site's availability.

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<sup>1</sup> The facilities used by Mid-Ohio continue to exist, but are largely useless to Mid-Ohio in light of the loss of its license. Mid-Ohio apparently is attempting to recoup a portion of its financial investment in the Channel 280A/Westerville facilities, and is planning on making the now-vacant (but still functional) facilities available to the winning applicant in this proceeding.

Genesee Communications, Inc., 3 FCC Rcd 3595, ¶ 4 (Rev. Bd. 1988). Similarly, the Commission itself has stated:

We have long held that a broadcast applicant need not have a binding agreement or absolute assurance of a proposed site. What an applicant must show...is that it has obtained reasonable assurance that its proposed site is available, with some indication of the property owner's favorable disposition toward making an arrangement with the applicant, beyond a mere possibility.

National Innovative Programming Network, Inc. of the East Coast, 2 FCC Rcd 5641, 5643 ¶ 11 (1987). As the Commission has even more recently stated:

It bears emphasis that the Commission's reasonable assurance standard is a liberal one, reflecting an underlying policy judgement that it would not serve the public interest to add to the cost and risk that applicants incur by requiring them to enter into binding commitments for the use of proposed transmitter sites. See Alden Communications Corp., 3 FCC Rcd 3937, 3938 ¶ 8 (1988). All that is ordinarily necessary for reasonable assurance is some clear indication from the landowner that he is amenable to entering into a future arrangement with the applicant for use of the property as its transmitter site, on terms to be negotiated, and that he would give notice of any change of intention. See, e.g., National Innovative Programming Network, supra., 2 FCC Rcd at 5643 ¶ 11, and Low Power Television and Television Translator Service, 102 FCC 2d 295, 309 (1984). In other words, the applicant need only obtain assurance "sufficient...to justify...belief that the...site [is] suitable and available until advised otherwise." National, supra, 2 FCC Rcd at 5643 ¶ 11, quoting Puopolo

Thus, in this case, Davis clearly has acquired reasonable assurance of the availability of the transmitter site. A clear "meeting of the minds" exists as to the intended use of the site, the price to be charged, and the nature of the facilities to be provided. The

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opposite of what ORA claims -- the case specifically states that even an applicant's informal telephone contacts with a landowner, with details to negotiated at a future date, are sufficient to sustain a good faith belief of site availability. Id. at 4332 ¶ 11.

The other cases cited by ORA are similarly inapplicable. In National Communications Industries, 6 FCC Rcd 1978, 1979 ¶ 10 (Rev. Bd. 1991), there was no "meeting of the minds" as here concerning the availability of the specified site -- there was no determination with the landowner concerning how much land would be needed and no specific site location (or coordinates) was agreed upon -- the possibility of leasing land was discussed, but there was no determination by the landowner that the specific site was at all available. In Rem Malloy Broadcasting, 6 FCC Rcd 5843, 5846 ¶ 14 (Rev. Bd. 1991), unlike here, there was no determination by the landowner that he would be actually willing currently to make the site available -- only that he may have given the mistaken impression that there would (hypothetically) be "no problem" in giving a lease. Accord, William F. And Anne K. Wallace, 49 F.C.C.2d 1424, 1427 ¶ 6 (Rev. Bd. 1974) (no "reasonable assurance" where the landowner

siteowner has been contacted by Davis and its representative, and the siteowner's agent specifically has "grant[ed] [Davis] the authority to specify WBBY-FM's transmitter site in [her] FCC application." Exhibit 1, Att. A. Thus, the already-existing but nascent transmitter site remains available as a transmitter site, and specifically is available for Davis' use. Davis has personally toured the Mid-Ohio facilities, and has been informed that the facilities have been maintained in excellent shape for her future use in the event she in the prevailing applicant in this proceeding. Exhibit 1. Although terms as would be included in any comprehensive lease agreement remain to be negotiated, the need for that future negotiation does not negate "reasonable assurance" (Elijah, supra.), and various keys terms of the lease, e.g., location of the site, equipment to be leased, and lease amount (\$6000), all already have been disclosed and are agreeable to Davis. More recently (prior to ORA's submission of its Motion) Davis again contacted the owner of the site's agent to confirm the continued availability of the transmitter site. As of May 25, 1993, Mid-Ohio's representative stated:

Mid-Ohio Communications, Inc. hereby reconfirms that it grants you the authority to continue to specify WBBY-FM's transmitter location in the FCC application proceedings. We continue to wish you the best of luck in your application for licensure being processed by the Federal Communications Commission.

Exhibit 1, Att. D. The letter specifically states that Mid-Ohio "remains willing to negotiate appropriate leases" with Davis for lease of the transmitter site, studio space, and related equipment. Therefore, Davis has received a "clear indication from the landowner that he is amenable to entering into a future arrangement with the applicant for use of the property as its transmitter site, on terms to be negotiated" (Elijah, 68 R.R.2d at 207 ¶ 10), and Davis therefore has, and has always had, "reasonable assurance" of the availability of her proposed transmitter

site.

As to the "other basis" for the designation of a transmitter site issue, ORA's claim that Davis failed to submit documents to Mid-Ohio is unsupported, and wrong. First, Section 1.229(d) of the rules requires allegations of fact "to be supported by affidavits of a person or persons having personal knowledge thereof." 47 C.F.R. § 1.229(d). No such affidavit has been provided by ORA. Moreover, certain provided to ORA during discovery, and which in fact were provided to Mid-Ohio as required under the terms of the letter, are attached hereto as Exhibit 1, Att. C. As Mr. Fry has confirmed in his June 7, 1993 letter to Davis:

My records reflect that pursuant to my correspondence of December 23, 1991, you provided my client with a showing of financial qualifications prior to the 60 day deadline referred to in my correspondence, and my client found your financial qualifications satisfactory. As such, the December 23, 1991 commitment remains in force.

Exhibit 1, Att. E.<sup>3</sup> Davis has satisfied the express conditions of the site owner, and in fact, as noted above, the site owner specifically has "confirm[ed] that it grants [Davis] the authority to continue to specify WBBY-FM's transmitter site in the FCC application proceedings."

Exhibit 1, Att. D.<sup>4</sup>

### ***Conclusion***

In light of ORA's utter failure to provide the slightest scintilla of evidence indicating that Davis has not acquired and maintained the full and proper availability of her

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<sup>3</sup> Ms. Davis' December 24, 1991 Personal Statement was provided to ORA in her May 5, 1993 document submission. An updated May 14, 1993 Personal Statement was provided to ORA in her May 22, 1993 document submission.

<sup>4</sup> Mid-Ohio also confirmed in its May 25, 1993 letter that it has received Davis' financial information and "reserves the right to again review [Davis'] financial condition" following a grant of the construction permit in this proceeding to Davis. Exhibit 1, Att. D.

transmitter site, no site availability issue is warranted in this proceeding.<sup>5</sup> For this reason, ORA's Motion should be denied.

WHEREFORE, it is respectfully requested that the "Second Motion to Enlarge Issues Against Davis," filed by Ohio Radio Associates, be denied.

Respectfully submitted,

SHELLEE F. DAVIS

By: 

Dan J. Alpert

Its Attorney

1250 Connecticut Ave., N.W.  
7th Floor  
Washington, DC 20036  
(202) 637-9158

June 9, 1993

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<sup>5</sup> In fact, as far as is known, Davis is the only applicant to have provided the applicant with updated financial information, and the only applicant to have personally toured the available WBBY-FM facilities.

**EXHIBIT 1**



### DECLARATION

I, Shellee Davis, hereby state as follows:

1. I am an applicant for a new FM broadcast station to serve Westerville, Ohio on Channel 280A.

2. Prior to the time I submitted my application to the FCC, I obtained the letter attached hereto as Attachment A. An addendum to that letter that I received is attached hereto as Attachment B. It is my understanding that I have permission to designate the transmitter site previously used by WBBY-FM on Channel 280A at Westerville, and it is my expectation that I will be able to enter into a lease for the site at such time as I am the prevailing party in the comparative hearing, under the terms and conditions stated in the letter -- \$6000 per month, which would include the use of the tower site and various studio facilities and equipment listed on the attachment to the letter. I have reviewed those terms, those terms are acceptable to me, and I would be willing to accept those terms as part of a comprehensive lease in the event I am

**ATTACHMENT A**

MID-OHIO

Wc

Shelton F. Davis, Pres.  
BRTY BUSINESS SYSTEMS, INC.  
418 E. Broad Street, Suite 100  
Columbus, Ohio 43215

RE: Mid-Ohio Communications, Inc./WBE

Dear Mr. Davis:

This correspondence is in regard to property and personal property owned by A is utilized in regard to the broadcast operation to apply for the broadcast license of WBBY- that should the Federal Communications Communications, Inc., the former licensee of for certain real property and personal property companies in the amount of Six Thousand

The real estate lease and equipment construction permit would include the use of 37, Gambury, Ohio 43074 studio facilities. The equipment utilized in the operation of the station the equipment listed in the inventory and equipment listed in the inventory will not be conveyors an intent to negotiate terms of lease agreements. Although it is contemplated in the various leases, there is no guarantee of

Within sixty (60) days of the date of a with a showing of financial qualifications with the above-referenced leases. Mid-Ohio Communications (60) days of receipt of your financial statement receive the construction permit, Mid-Ohio Communications, Inc. to determine if you the Communications, Inc. to enter into the above strength, if the licensee is a corporation, the person guarantee in regard to the lease obligations

Mid-Ohio Communications, Inc. hereby location in your FCC application. We wish prepared for filing with the Federal Commu

Attachment

MBEX INVENTORY 12/91

FRONT OFFICE

FIRST FLOOR

Item

- 1 Double pedestal metal desk
- 1 Brown Steno chair
- 1 Black side chair
- 2 2 Drawer metal filing cabinet
- 1 Panasonic T35 Typewriter
- 1 AT & T PC6300 computer and terminal w/printer
- 1 Sanyo CV5000 DP Calculator
- 1 Bostich EP5 Electric pencil sharpener

LOBBY

- 2 Waiting room side chairs (wood & rust)
- 1 table w/ glass top

SALES OFFICE

- 6 desks (4 double pedestal & 2 single pedestal)
- 7 Steno chairs
- 1 wooden desk (computer table)
- 3 4 Drawer file cabinets
- 3 Wall dividers
- 1 Eureka Mighty Mite cleaner
- 1 Panasonic jetflo sweeper
- 1 Kodak Slide projector in case
- 1 36 slot sales cabinet
- 1 IBM selectric typewriter
- 1 Epson equity II+ Computer & terminal
- 1 Panasonic KX-P1124 24pin Multi-mode Printer
- 1 Hewlett Packard Desk Jet Printer

SALES MANAGERS OFFICE

- 1 Double pedestal desk
- 1 Gray executive chair
- 1 gold side chair
- 2 2 drawer file cabinets
- 1 Glass end table
- 1 Brass table lamp

#### GENERAL MANAGER OFFICE

- 1 Wooden double Pedestal desk
- 1 Blue executive chair
- 2 Blue side chairs
- 1 2 drawer file cabinet
- 1 Wooden top (credenza type)
- 1 Brass lamp
- 1 Telex Copyette

#### CONFERENCE ROOM

- 1 Conference table
- 6 side arm chairs
- 1 Credenza
- 1 Sharp SF750 Copier
- 1 Zenith 19" color TV
- 1 Zenith Video tape recorder
- 1 panasonic Microwave oven
- 1 GE small refrigerator
- 1 Presentation board w/ easel
- 1 WBBY old clock

#### PUBLIC SERVICE OFFICE

#### SECOND FLOOR

- 1 Double Pedestal desk
- 2 Steno Chairs
- 1 Diablo printer
- 1 File cabinet
- 1 Panasonic typewriter
- 1 Olivetti 35 typewriter
- 1 Sanyo small refrigerator
- 1 Samsung Classic Microwave oven

#### MUSIC LIBRARY

- 1 Wood table
- 2 Steno chairs
- 1 Single pedestal desk
- 1 Magnavox CD player
- 1 Toshiba receiver
- 1 AT&T Computer & terminal
- 1 Epson LX810 Printer

10-200000

**WEEK ELECTRONIC INVENTORY 12/91**

NAME	TYPE	ITEM	NUMBER
<b>CONTROL ROOM STUDIO</b>			
TECHNICS	SP10MK2A	TURNTABLES	3
TECHNICS	SH10EA	POWER UNIT	3
RANKO	SPSE	TURNTABLE AMP	1
STANTON	310	POWER BOOST/FILTER	2
TECHNICS	1500	2 TRACK REEL/RECORDER	1
BROADCAST AUDIO	SERIES IV	AUDIO CONSOLE	1
COMREX	LXR	RECORDER UNIT	1
FURMAN		STRIP EQUALIZER	1
CARVER	TD1200	CASSETTE TAPE DECK	1
DYNAMAX	CTR10	RECORD PLAY CART DECK	1
DYNAMAX	CTR10	PLAYBACK CART DECK	4
FIDELIPAC	TABLE	TAPE ERASER	1
ELECTRO-VOICE	RE-20	MICROPHONE	2
REALISTIC NOVA	40	HEADSETS	1
BIC VENTURI	FORMULA2	MONITOR SPEAKER	2
RADIO SYSTEMS	TN-1	TABLETOP TIMER	1
STUDER	A727	COMPACT DISC PLAYER	3
REALISTIC MINIMUS	3.5	CUE SPEAKER	2
<b>NEWS STUDIO</b>			
DYNAMAX	CTR10	PLAYBACK CART DECK	1
TECHNICS	SP15	TURNTABLE	1
RANKO	SPSE	TURNTABLE PRE-AMP	1
ELECTRO-VOICE	RE50	MICROPHONE	1
REALISTIC NOVA	40	HEADSET	1
REALISTIC MINIMUS	3.5	MONITOR SPEAKER	2
FIDELPAC	TABLETOP	ERASER	1
<b>PRODUCTION STUDIO</b>			
RADIO SYSTEMS	TN-1	TIMER	1
REALISTIC MINIMUS	0.3	CUE SPEAKER	2
EPI	A50	MONITOR SPEAKERS	2
TECHNICS	SP15	TURNTABLE	2

**PRODUCTION STUDIO CONT'D**

**BROADCAST AUDIO**  
**LEXICON**

**PCN60**

**12 CHANNEL AUDIO CON. 1**  
**DIGITAL REVER UNIT 1**



**ATTACHMENT B**

**MID-OHIO COMMUNICATIONS, INC.**  
**Post Office Box 14**  
**Westerville, Ohio 43081**

**December 24, 1991**

**Shellee F. Davis, Pres.**  
**Brity Business Systems, Inc.**  
**415 E. Broad Street, Suite 100**  
**Columbus, OH 43215**

**RE: Mid-Ohio Communications, Inc.**  
**WBBY-FM**  
**Lease of Assets**

**Dear Ms. Davis:**

Enclosed herewith is an addendum to the Inventory previously provided to you.

**Sincerely,**

**MID-OHIO COMMUNICATIONS, INC.**

By: Carl B. Fry  
**Carl B. Fry**  
**Authorized Representative**

**Attachment**

# WBYY SUNBURY EQUIPMENT LIST

LOCATION: C=CONTROL  
T=TRANSMITTE

C	TECHNICS SP 10 MKII TURNTABLE	(2)
C	TECHNICS SH 10E POWER UNIT	(2)
C	REALISTIC TURNTABLE PREAMP	(2)
C	STUDER A725 CD PLAYER	(1)
C	AUDICORD E SERIES RECORD CART	(1)
C	AUDICORD E SERIES PLAY CART	(2)
C	MONMARTIN AUDIO CONSOLE	(1)
C	ELECTROVOICE RE-16 MIC	(1)
C	PANASONIC SPEAKERS	(2)
C	PIONEER REEL TO REEL PLAYER	(1)
C	SUNBURY/WESTERVILLE AUDIO CNTRL	(1)
C	KENWOOD CASSETTE DECK	(1)

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T	PIONEER RECIEVER	(1)
T	DELTA COAXIAL SWITCH	(1)
T	COAXIAL SWITCH LOCAL CONTROL PANEL	(1)
T	MARTI RMC 15 REMOTE CONTROL	(1)
T	MARTI RY 15 RELAY INTERFACE	(1)
T	MARTI SCG 8H SCA GENERATOR	(1)
T	ORBAN OPTIMOD 8100 a	(1)
T	MARTI RPU RECEIVER	(1)
T	INVONICS FMX GENERATOR	(1)
T	MARTI STL 10 RECEIVER	(2)
T	BIRD THRU LINE WATTMETER	(1)
T	BIRD 5KW DUMMY LOAD	(1)
T	HARRIS 2.5 K TRANSMITTER W/NS 15	(1)
T	HARRIS 3.5 k TRANSMITTER W/MX15	(1)
T	TOWER + 2BAY ANTENNA	(1)

**ATTACHMENT C**

# PERSONAL STATEMENT — CONFIDENTIAL

TO:

NAME SHELLEE F. DAVIS POSITION OR OCCUPATION OWNER/PRESIDENT  
 BUSINESS NAME BRITT BUSINESS SYSTEMS, INC.  
 BUSINESS ADDRESS 415 E. Broad Street, Ste. 100 Cols., Ohio 43215 PHONE 461-7714  
 RESIDENCE ADDRESS 5518 Moccasin Drive Westerville, O. 43081 PHONE 899-0350

The following is submitted for the purpose of procuring, establishing and maintaining credit with you in behalf of the undersigned or persons, firms or corporations in whose behalf the undersigned may either severally or jointly with others execute a guaranty in your favor. The undersigned warrants that this financial statement is true and correct and that you may consider this statement as continuing to be true and correct until a written notice of a change is given to you by the undersigned.

DATE December 24, 1991

**PLEASE DO NOT LEAVE ANY QUESTIONS UNANSWERED. USE "NO" OR "NONE" WHERE NECESSARY.**

ASSETS	In Even Dollars	LIABILITIES	In Even Dollars
Cash on hand and in banks	\$169000	Notes payable to banks — secured	\$ na
Marketable Securities — see Schedule A	39000	Notes payable to banks — unsecured	na
Non-Marketable Securities — see Schedule B	na	Due to brokers	na
Securities held by broker in margin accounts	na	Amounts payable to others — secured	na
Restricted or control stocks	na	Amounts payable to others — unsecured	na
		Accounts and bills due	5000
		Unpaid income tax	na
Real Estate Owned — see Schedule C	228000	Other unpaid taxes and interest	na
Loans Receivable	18000	Real estate mortgages payable — see Schedule C	120000
Automobiles and other personal property		Other debts — itemize:	na
Cash value — life insurance — see Schedule D	na		
Other assets — itemize:	na		
		<b>TOTAL LIABILITIES</b>	<b>125000</b>
		<b>NET WORTH</b>	<b>329000</b>
<b>TOTAL ASSETS</b>	<b>\$454000</b>	<b>TOTAL LIABILITIES AND NET WORTH</b>	

Are all bad and doubtful assets excluded from this statement? yes If no, explain: \_\_\_\_\_

Income taxes settled through what date? 1990 Additional assessments \$ no

ANNUAL SOURCES OF INCOME	PERSONAL AND GENERAL INFORMATION
Salary, bonus & commissions <u>combined</u> \$ <u>130,000</u>	Do you have will? <u>no</u>
Dividends <u>2,000</u>	If yes, name of executor.
Real estate income <u>7,800</u>	
Applicant need not disclose alimony, child support or maintenance income unless applicant so desires. <u>na</u>	Are you a partner or officer in any other venture) <u>yes</u>
Other Income <u>na</u>	
<b>TOTAL</b> \$ <u>139,800</u>	
CONTINGENT LIABILITIES	Social Security No. <u>300-58-3092</u>
Do you have any contingent liabilities? <u>na</u>	Are any assts pledged? <u>no</u>
If yes, give details:	Are you defendant in any suits or legal actions? <u>no</u>
As endorser, co-maker or guarantor \$	Personal bank accounts carried at: <u>Huntington Nat. Bank &amp; BancOhio</u>
On leases or contracts \$	Have you ever taken bankruptcy? Explain: <u>no</u>
Legal claims \$	
Other special debt \$	
Amount of contested income tax liens \$	

(COMPLETE SCHEDULES AND SIGN ON REVERSE SIDE)

**SCHEDULE A — U.S. GOVERNMENTS AND MARKETABLE SECURITIES**

No. of Shares or Face Value (Bonds)	Description	In Name Of	Market Value	Source of Value
	Cardinal Gov't Securities	Shellee F. Davis	\$20,000	\$20,000
	Cardinal Gov't Securities	Reginald W. Davis	19,000	19,000

**SCHEDULE B — NON-MARKETABLE SECURITIES**

Description of Securities	No. of Shares Owned	Book Value Per Financial Statement Dated:	No. of Shares Outstanding	Total Value
na				

**SCHEDULE C — REAL ESTATE OWNED**

Description of Property and Improvements	Date Acquired	% of Ownership	Cost	Market Value	Mortgage	
					Amount	Maturity
2-story brick	5-87	100%	\$ 9,000	\$25,000	na	
1-story wood frame	1-89	100%	23,000	23,000	na	
2-story wood frame	11-86	100%	140,000	180,000	\$120,000	2016

**SCHEDULE D — LIFE INSURANCE CARRIED, INCL. N.S.L.I. AND GROUP INSURANCE**

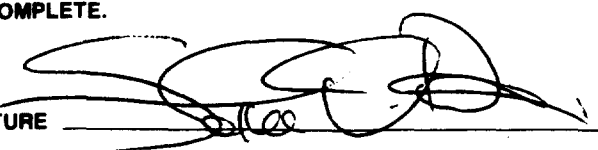
Face Amount	Name of Company	Beneficiary	Cash Surrender Value	Loans
na				

**SCHEDULE E — NAMES OF BANKS OR FINANCE COMPANIES WHERE CREDIT HAS BEEN OBTAINED**

Name and Address	Original Date	High Credit	Owe Currently	Secured or Unsecured
State Savings Bank	11-86	126,000	120,000	unsecured

THE OHIO LAWS AGAINST DISCRIMINATION REQUIRE THAT ALL CREDITORS MAKE CREDIT EQUALLY AVAILABLE TO ALL CREDITWORTHY CUSTOMERS, AND THAT CREDIT REPORTING AGENCIES MAINTAIN SEPARATE CREDIT HISTORIES ON EACH INDIVIDUAL UPON REQUEST. THE OHIO CIVIL RIGHTS COMMISSION ADMINISTERS COMPLIANCE WITH THIS LAW.

THE UNDERSIGNED CERTIFIES THAT BOTH SIDES HEREOF AND THE INFORMATION INSERTED THEREIN HAS BEEN CAREFULLY READ AND IS TRUE, CORRECT AND COMPLETE.

December 24 19 91 SIGNATURE   
DATE SIGNED

(USE ADDITIONAL SCHEDULES WHEN NECESSARY)

# PERSONAL STATEMENT — CONFIDENTIAL

TO:

NAME Shellee F. Davis POSITION OR OCCUPATION Self-employed Owner/Pres  
BUSINESS NAME Britl Business Systems, Inc.  
BUSINESS ADDRESS 415 East Broad St., Ste. 100 Cols., Ohio PHONE (614) 461-7714  
RESIDENCE ADDRESS 463 Jessing Trail Worthington, Ohio PHONE (614) 431-8025

The following is submitted for the purpose of procuring, establishing and maintaining credit with you in behalf of the undersigned or persons, firms or corporations in whose behalf the undersigned may either severally or jointly with others execute a guaranty in your favor. The undersigned warrants that this financial statement is true and correct and that you may consider this statement as continuing to be true and correct until a written notice of a change is given to you by the undersigned.

DATE May 14 19 93

PLEASE DO NOT LEAVE ANY QUESTIONS UNANSWERED. USE "NO" OR "NONE" WHERE NECESSARY.

ASSETS	In Even Dollars	LIABILITIES	In Even Dollars
Cash on hand and in banks	1021.00	Notes payable to banks — secured	na

## SCHEDULE A — U.S. GOVERNMENTS AND MARKETABLE SECURITIES

No. of Shares or Face Value (Bonds)	Description	In Name Of	Market Value	Source of Value
1000	Future Now	Shelley F. Davis	\$13,250	
400	Simpson Industries	"	7,600	
417	Sun TV	"	16,992	
3340	Various stocks&bonds	Reginald W. Davis	60,500	

## SCHEDULE B — NON-MARKETABLE SECURITIES

Description of Securities	No. of Shares Owned	Book Value Per Financial Statement Listed:	No. of Shares Outstanding	Total Value

## SCHEDULE C — REAL ESTATE OWNED

Description of Property and Improvements	Date Acquired	% of Ownership	Cost	Market Value	Mortgage	
					Amount	Maturity
2-story brick	5-87	100%	\$ 9,000	\$ 25,000	na	na
1-story wood frame	1-89	100%	23,000	30,000	na	na
2-story stone frame	4-92	100%	319,000	394,000	\$210,000	2022

## SCHEDULE D — LIFE INSURANCE CARRIED, INCL. N.S.L.I. AND GROUP INSURANCE

Face Amount	Name of Company	Beneficiary	Cash Surrender Value	Loans
\$200,000	Prudential	Husband	current	na

## SCHEDULE E — NAMES OF BANKS OR FINANCE COMPANIES WHERE CREDIT HAS BEEN OBTAINED

Name and Address	Original Date	High Credit	Owe Currently	Secured or Unsecured
Society National Bank	4-92	\$217,000	210,000	unsecured
State Savings Bank	11 86	126,000	na	na

THE OHIO LAWS AGAINST DISCRIMINATION REQUIRE THAT ALL CREDITORS MAKE CREDIT EQUALLY AVAILABLE TO ALL CREDITWORTHY CUSTOMERS, AND THAT CREDIT REPORTING AGENCIES MAINTAIN SEPARATE CREDIT HISTORIES ON EACH INDIVIDUAL UPON REQUEST. THE OHIO CIVIL RIGHTS COMMISSION ADMINISTERS COMPLIANCE WITH THIS LAW.

THE UNDERSIGNED CERTIFIES THAT BOTH SIDES HEREOF AND THE INFORMATION INSERTED THEREIN HAS BEEN CAREFULLY READ AND IS TRUE, CORRECT AND COMPLETE.

DATE SIGNED

19

SIGNATURE

(USE ADDITIONAL SCHEDULES WHEN NECESSARY)



**ATTACHMENT D**